

ANDY 10/23/01 9:25  
3:01-CV-01777 SUSTEREN V. JONES  
\*3\*  
\*ANS.\*

JOHN J. SANSONE, County Counsel  
County of San Diego  
By TIMOTHY M. BARRY, Senior Deputy (State Bar No.89019)  
1600 Pacific Highway, Room 355  
San Diego, California 92101-2469  
Telephone: (619) 531-6259

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*Amend*  
DEPUTY

Attorneys for Defendant Mikel Haas

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

ADAM VAN SUSTEREN,

Plaintiff,

v.

BILL JONES, in his official capacity as  
California Secretary of State; MIKEL HAAS  
in his official capacity as Registrar of Voters,

Defendants.

Civil No. 01 CV 1777BTM (POR)  
Action Filed: October 2, 2001

ANSWER TO COMPLAINT FOR  
INJUNCTIVE RELIEF (ELECTIONS)

Defendant Mikel Haas, sued herein in his official capacity as the Registrar of Voters for the County of San Diego answers the complaint filed herein by admitting, denying and alleging as follows:

1. In response to the allegations contained in Paragraphs 1, 2, 3, 5, 6, and 7, of the complaint, defendant lacks sufficient information and belief to enable him to knowledgeably respond to the allegations contained therein and based on such lack of information and belief, generally and specifically denies the allegations contained therein.

2. In response to the allegations contained in Paragraph 4 of the complaint, defendant admits that Bill Jones is the California Secretary of State but generally and specifically denies that Mikel Haas is currently the Registrar of Voters for the County of San Diego. As to the remaining allegations contained in Paragraph 4, defendant lacks sufficient information and

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1 belief to enable him to knowledgeably respond to the remaining allegations contained therein  
2 and based on such lack of information and belief, generally and specifically denies the  
3 allegations contained therein.

4 3. In response to the allegations contained in Paragraph 8 of the complaint, defendant  
5 is informed and believes and on such information and belief alleges that the allegations  
6 contained therein are true, and based on such information and belief admits the allegations  
7 contained therein.

8 4. In response to the allegations contained in Paragraph 9 of the complaint, defendant  
9 generally and specifically denies the allegations contained therein.

10 AFFIRMATIVE DEFENSES

11 5. As a first, separate, and distinct affirmative defense, defendant alleges that the  
12 complaint fails to state facts sufficient to constitute a claim upon which relief can be granted.

13 6. As a second, separate, and distinct affirmative defense, answering defendant  
14 alleges that he is not liable for alleged violations of civil or constitutional rights by non-  
15 policymakers.


16 7. As a third, separate and distinct affirmative defense, answering defendant alleges  
17 that he is not currently acting as the Registrar of Voters for the County of San Diego and is  
18 therefore not a proper party to this action.

19 WHEREFORE, defendant prays as follows:

- 20 1. That the action be dismissed with prejudice;  
21 2. That plaintiff take nothing by his action;  
22 3. That defendant recover his costs of suit incurred herein; and  
23 4. For such other and further relief as the Court deems proper and just.

24 DATED: 10/22/01

JOHN J. SANSONE, County Counsel

25   
26 By

27 TIMOTHY M. BARRY, Senior Deputy  
28 Attorneys for Defendant Mikel Haas, as Registrar  
of Voters for the County of San Diego

ADAM VAN SUSTEREN.,	)	<b>No. 01CV1777 BTM (POR)</b>
	)	
Plaintiff,	)	<b>DECLARATION OF SERVICE</b>
	)	
v.	)	Person Served:
	)	
BILL JONES, in his official capacity as	)	ADAM VAN SUSTEREN
California Secretary of State; MIKEL	)	
HAAS in his official capacity as Registrar	)	Date Served: <b>October 22, 2001</b>
of Voters,	)	
	)	
Defendants.	)	

I, VALERIE J. PALID, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; that I served the above-named person(s) the following documents:

**1) Answer to Complaint for Injunctive Relief (Elections)**

in the following manner:

1. ☐ By personally delivering copies to the person(s) served.
2. ☐ By leaving, during usual office hours, copies in the office of the person(s) served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
3. ☐ By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person(s) served in the presence of a competent member of the household or a person apparently in charge of his office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person(s) served at the place where the copies were left.
4. ☒ By placing a copy in a separate envelope, with postage fully prepaid, for each address named below and depositing each in the U.S. Mail at San Diego, California on **October 22, 2001**.

**Adam Van Susteren (Pro Se)**  
**2461 Union Street, #2**  
**San Diego, California 92101**  
**(619) 230-1411**

**Plaintiff Pro Se**

Executed on **October 22, 2001**, at San Diego, California.



VALERIE J. PALID